

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

vs.

BOBBY WAYNE REED

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CRIMINAL NO. 4:96-CR-068-J

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

Before the Court are Defendant Bobby Wayne Reed's motion for writ of audita querela, the September 21, 2009, findings, conclusions, and recommendation of the United States Magistrate Judge, and Defendant Reed's filed objections to the report and recommendation.

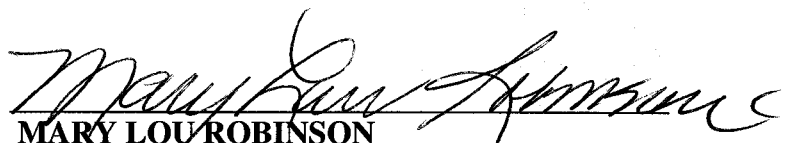
The Court has reviewed the motion along with the record in this case, and has reviewed for error the proposed findings, conclusions and recommendation of the United States Magistrate Judge filed on September 21, 2009. The Court concludes that the motions for writ of audita querela and for writ of mandamus should be denied for the reasons stated in the Magistrate Judge's findings and conclusions.

It is therefore ORDERED that the findings, conclusions and recommendation of the Magistrate Judge are hereby ADOPTED.

It is further ORDERED Defendant Bobby Wayne Reed's September 14, 2009, motion for writ of audita querela is DENIED and, to the extent he also seeks a writ of mandamus under 28 U.S.C. § 1651, such request is also DENIED.

It is SO ORDERED.

Signed this the 27th day of October, 2009.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE